

BEFORE THE BOARD OF HOMEOPATHIC MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

In the Matter of the License of)	
)	
GORDON JOSEPHS, D.O., M.D.(H.))	Complaint No. 91-05
)	and No. 92-05
Holder of License Number 051)	
for the Practice of Homeopathy)	PROBATIONARY ORDER
in the State of Arizona)	AND STIPULATION

The above-captioned matters came before the Board of Homeopathic Medical Examiners of the State of Arizona (the Board) for an informal interview on December 2, 1992, pursuant to A.R.S. Section 32-2934. Following the Board's review of evidence obtained by it and having considered all the evidence and information for the purposes of issuing this Stipulation and Order of Probation, and being fully advised, enters the following Findings of Fact, Conclusions of Law, and Order.

Findings of Fact

1. During the period July 1, 1991 through July 1, 1992, Dr. Gordon Josephs administered bio-oxidative therapy, an experimental form of treatment. This treatment was performed under a protocol for hydrogen peroxide administration obtained from Dr. Josephs' association with the International Bio-oxidative Medical Foundation. Out of a total of 41 treated patients whose charts were available for review, ten charts were evaluated and the following findings noted:

A. Patient S.P.: No record of detailed medical history or physical examination; no record of initial assessment; unwitnessed informed consent.

B. Patient I.P.: Absence of informed consent form.

C. Patient C.C.: Absence of history and physical documentation; absence of laboratory evaluations on a patient treated with multiple intravenous treatments.

D. Patient J.L.: Absence of informed consent; absence of laboratory finding.

E. Patient M.A.: Absence of informed consent.

F. Patient S.S.: Absence of informed consent for both bio-oxidative therapy and chelation therapy; absence of initial physical exam; absence of follow-up laboratory testing.

G. Patient P.T.: Insufficient records to determine results of therapy and patients actual clinical condition due to insufficiently detailed initial and follow-up notes.

H. Patient E.S.: Absence of detailed follow-up notes or laboratory evaluation.

2. In the course of an investigation of the Arizona Board of Osteopathic Examiners, Dr. Josephs had his osteopathic license in Arizona revoked on June 24, 1992, on the basis of his refusal to take a medical competency examination.

Conclusions of Law

1. The Homeopathic Medical Examiners of the State of Arizona Board has jurisdiction of the subject matter hereof and the licentiate.

2. The Board has legal authority pursuant to A.R.S. 32-2934(D)(4) to establish a period and terms of probationary licensure best adopted to protect the public health and safety and rehabilitate or educate the licentiate.

3. The conduct described in Paragraph No. 1 establishes that Dr. Josephs has engaged in unprofessional conduct as defined by A.R.S. 32-2933(19) and (27).

4. The conduct described in Paragraph No. 2 establishes that Dr. Josephs has engaged in unprofessional conduct as defined in section 32-2933(18) and (19).

Order

1. Based on the foregoing Findings and Conclusions, the Board hereby orders that Dr. Josephs practice under probation for a period of eighteen months, commencing on the first day of April, 1993 at 12:01 a.m., and ending on 31st day of October, 1994 at 12:00 midnight, subject to the following conditions:

A. Within the first six months of the probationary period, Dr. Josephs will submit to the Board copies of all charts of patients undergoing bio-oxidative therapy, subsequent to his informal interview for review by the Board or its designee for compliance with Board statutes and rules regarding experimental forms of diagnosis and therapy.

B. Within one year of the date of commencement of this probationary period Dr. Josephs will complete, at his expense, a Board pre-approved course in practice risk management.

C. Within six months of the date of this probation, the Board or its designee will conduct, at Dr. Josephs' expense, a review of randomly selected charts from Dr. Josephs' practice. The results of this review are to be reported to the Board for interim evaluations of Dr. Josephs' compliance with A.R.S. 32-2933(19) and (27). The Board, as the result of this review, may

stipulate additional specific corrections required for Dr. Josephs' medical record keeping practices. A second review of records is to be conducted within 12 months of the date of this probation for reporting compliance with the Board's record keeping recommendations.

D. Within eighteen months of the date of the onset of this probationary order, Dr. Josephs will present evidence to the Board of having satisfactorily passed a general medical competency exam, either the SPECT exam, or a Board-approved equivalent. Registration fees for this exam are to be at Dr. Josephs' expense.

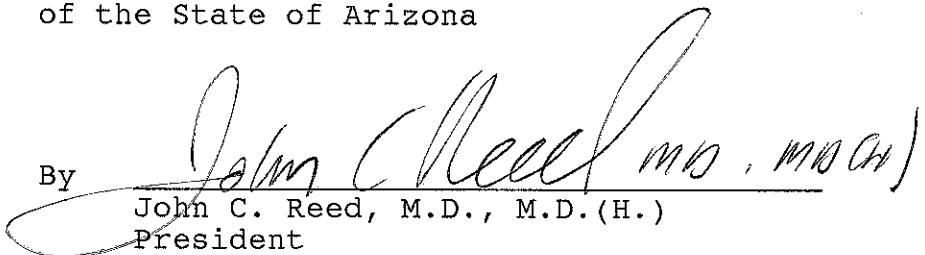
2. If it's found that Dr. Josephs has failed or neglected to conform to the requirements of this Order of Probation, or has continued to practice homeopathic medicine without regard for the safety and welfare of the public, the Board may extend or re-establish the probationary period and set the case for formal hearing as provided by A.R.S. Section 32-2934(F).

This order shall become effective ten (10) days after receipt by Licensee.

Done this 30th day of March, 1993.

Board of Homeopathic Medical Examiners
of the State of Arizona

By


John C. Reed, M.D., M.D.(H.)
President